

REMARKS

In response to the Office Action dated January 15, 2004, applicants confirm their election of claims 1-17 drawn to a granular delivery system comprising a flavor or fragrance ingredient, for prosecution at this time.

The current Office Action alleges that applicants' prior amendment is not fully responsive. Applicants respectfully request reconsideration of this statement. As previously noted, applicants elected the Group I claims for prosecution in this application and amended the group II and Group III claims to be in accordance with the invention of Group I. Thus, the Group II and Group III claims were cancelled without prejudice to applicants' rights to file one or more divisional applications for the subject matter of the cancelled claims.

The current Office Action repeats a prior request for an election of a single disclosed species from each of the Group II and Group III claims. This request is not understood, since, as noted above, the Group II and Group III claims have been cancelled. In an effort to be cooperative and to facilitate the further prosecution of this application, applicants elect, with traverse, the following species for amended claims 16 and 17 of the Group I invention:

claim 16: a biscuit

claim 17: a shampoo

The traversal of this requirement is based on the fact that the invention, as presently claimed, relates to a granular delivery system comprising a flavor or fragrance ingredient or composition distributed as droplets throughout a matrix of polymeric carriers, wherein the carriers comprise at least a carbohydrate material and from 1 to 7% of prehydrated agar agar, relative to the dried weight of the granular system. This granular delivery system is patentable of its own accord regardless of the final product in which it is incorporated. Accordingly, the species restriction requirement should be withdrawn so that the Examiner can focus on the delivery system itself rather than the product in which it is ultimately used.

Date

1/30/04

Respectfully submitted,

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